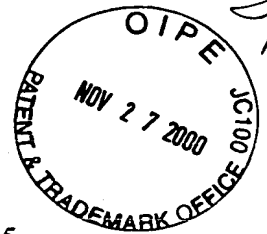


#10/B  
JEL  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: )  
Bosch et al. )  
Serial No.: 09/190,138 ) Group Art Unit: 1615  
Filed: November 12, 1998 ) Examiner: P.E. McQueeney

For: DRY POWDER AEROSOLS OF NANOPARTICULATE DRUGS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.111

This Amendment is filed in response to the Office Action mailed on March 22, 2000. 1999. While a shortened statutory period for response has expired, filed herewith is a Petition for a one month extension of time to extend the period for response to December 21, 2000.

IN THE CLAIMS:

Please cancel claims 37, 38, and 50, without prejudice or disclaimer thereof, and amend the following claims.

11. (Twice Amended) A spray-dried powder aerosol composition comprising aggregates of nanoparticulate drug particles, wherein:
- (a) the nanoparticulate drug particles:
- (i) comprise a poorly soluble crystalline drug, wherein by "poorly soluble" it is meant that the drug has a solubility in at least one liquid dispersion medium of less than about 10 mg/ml,
- (ii) have an effective average particle size of less than about 1000 nm, meaning at least 50% of the drug particles have a particle size of less than about 1000 nm, and